

## REMARKS

This is in response to a non-final Office Action mailed March 2, 2004. On page 2 of the present Office Action, the Examiner indicates the Office Action as being both a final and non-final, wherein the Examiner further provided clarification in a facsimile dated March 12, 2004 that the Office Action is in fact a non-final Office Action. Therefore, Applicants provide the following response in accordance with non-final procedures within the shortened statutory period of three months.

In response to the Office Action dated March 2, 2004, Applicants respectfully traverse and request reconsideration.

### Allowed Claims

Applicants acknowledge the allowance of claims 31-37.

### Objected Claims

Applicants note on page 9 of the present Office Action that the Examiner has indicated claims 12-13 and 24-25 as being objected to as being dependent upon an originally rejected base claim. The Examiner further indicated that these claims would be allowable if rewritten in independent form to include all limitations of the base claim and any intervening claims. Applicants acknowledge the objection to claims 12-13 and 24-25 in view of the first page of the present Office Action that fails to provide an indication as to the status of the claims 12 and 24-25 and indicates claim 13 as being rejected. Therefore, Applicants herein assume, based on the Examiner's comments on page 9 of the present Office Action that claims 12-13 and 24-25 currently stand objected to.

### Rejection of Claims Under 35 U.S.C. § 103(a)

Claims 2-4, 6-11, 14-23, 26-30 and 38 currently stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,912,710 ("Fujimoto") in view of U.S. Patent No. 6,208,354 ("Porter").

As understood, Fujimoto discloses, *inter alia*, an image display control apparatus for displaying blended images on a television monitor. Fujimoto discloses generating a display by combining graphics data and motion picture video data read from a DVD medium, such as illustrated with the DVD media 100 of FIG. 1. Further illustrated in FIG. 8, Fujimoto discloses, *inter alia*, utilizing a main memory 13 to store video information which is capable of being provided to an MPEG to decoder 102 through a DVD-ROM drive 101. (See col. 11, lines 33-35). Moreover, Fujimoto discloses, as illustrated in FIG. 8, a post/PCI bridge for converting bi-directional transactions between the processor bus 1 and the PCI bus 2. The host PCI bridge 12 includes a memory controller 122 for controlling access to the main memory 13 or a mask ROM 14 in accordance with memory rewrite transactions. (See col. 10, lines 47-56). In other words, Fujimoto discloses a system having three separate and distinct memory elements serving three separate and distinct operational functions. The main memory 13 stores standard memory operations and also video information that can be provided to the DVD-ROM drive 101. The mask ROM 14 may provide a data source being a read-only memory and the RAM 103 is disclosed by Fujimoto as storing graphics data for use by conversion processor 104 to eventually perform scaling operations with the scaler 106. Moreover, Fujimoto discloses these three separate memory structures of three separate and distinct locations based on a particular video source, the DVD drive 101. Specifically, the mask ROM 14 and the main memory 13 are disclosed as being prior to the DVD-ROM drive 101 and the VRAM is disclosed as being after the DVD-ROM drive 101. (See FIGs. 1 and 8).

As understood, Porter is directed to, *inter alia*, storing and displaying multiple graphical images in a mixed video graphics display system. Porter discloses, *inter alia*, memory 10 storing video data blocks 15 such that a video data stream 16 and graphics data stream 28 may be provided to a display overlay engine 30 having an alpha blend unit 32 to generate the display output signal 35. Therefore, Porter discloses a system wherein the memory is in direct communication with the display overlay engine 30 to provide the video data stream 16 directly thereto and a graphics data stream 28 directly thereto. Moreover, Porter discloses the memory 10 as being a single unitary memory structure capable of providing the video and graphics data from a single memory source location.

Regarding claims 4, 20, 30 and 38, Applicants respectfully submit that one of ordinary skill in the art would not have been motivated to combine the teachings of Fujimoto with Porter because Fujimoto specifically teaches away from being combined with Porter. Claims 4, 20, 30 and 38 recite, *inter alia*, a frame buffer coupled to the graphics scaler and to the video scaler. More specifically, a single frame buffer is recited as being coupled to the graphics scaler and video scaler. As noted above, Fujimoto discloses several different memory structures, the VRAM 103, main memory 13 and mask ROM 14. The VRAM 103 is disclosed to store graphics data and the main memory 13 is disclosed as storing video data. Relative to the DVD drive 101, the main memory 13 is prior to the DVD drive 101 in order of data flow and the VRAM 103 is post DVD-ROM 101 in order of data flow.

Therefore, looking specifically at the teachings of Fujimoto with reference to Porter, Fujimoto discloses having separate memories at separate distinct locations relative to the DVD drive 101. Porter discloses having a single memory capable of providing video data and graphics data directly to a single overlay engine. One of ordinary skill in the art would not be able to integrate the single memory 10 of Porter into the system of Fujimoto wherein that memory could store both graphics data and video data based on the fact that the VRAM 103 stores the graphics data and the main memory 13 stores the video data. Therefore, for one of ordinary skill in the art to combine the teachings of Fujimoto and Porter, one would have to significantly redesign Fujimoto eliminating the DVD drive or parse the memory 10 of Porter in direct contradiction to the teachings of Porter.

As such, Applicants submit that the present rejection is improper because Fujimoto and Porter fail to teach or suggest all of the claimed limitations based on the distinct disclosure of both Fujimoto and Porter. Moreover, as the present rejection is based on an obviousness-type rejection, it is submitted the rejection is improper because it would not have been obvious to one having ordinary skill in the art to combine Fujimoto with Porter based on the teachings of Fujimoto disclosing a memory structure for video memory prior to a DVD-ROM and the memory for storing graphics data after the DVD-ROM. Therefore, for at least the reasons stated above, it is submitted the present rejection is improper and should be withdrawn. Reconsideration and passage of the present claims to issuance is respectfully requested.

Regarding claims 2-3, 6-11 and 14-19, Applicants respectfully reassert the above position regarding independent claim 4. In addition, Applicants also submit that these claims depend from claim 4 and provide further patentable subject matter in view thereof. Therefore, it is submitted that these claims are allowable not merely as being dependent upon an allowable base claim but rather contain patentable subject matter in view of the prior art of record. Therefore, reconsideration and withdrawal of the present rejection is respectfully requested.

Regarding claims 21-23 and 26-29, Applicants respectfully reassert the above position regarding independent claim 20. In addition, Applicants also submit that these claims depend from claim 20 and provide further patentable subject matter in view thereof. Therefore, it is submitted that these claims are allowable not merely as being dependent upon an allowable base claim but rather contain patentable subject matter in view of the prior art of record. Therefore, reconsideration and withdrawal of the present rejection is respectfully requested.

Accordingly, Applicant respectfully submits that the claims are in condition for allowance and that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

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